

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

DEBRA WILLIAMS, §  
*Plaintiff*, §  
v. § CIVIL ACTION NO. 2:21-CV-007-Z  
§  
CITY OF CHILDRESS §  
*Defendant*. §

**KATHERINE BRITTON'S DECLARATION**

Katherine Britton, pursuant to 28 U.S.C. § 1746 hereby declares as follows:

1. I am over 18 years of age, of sound mind, and otherwise competent to make this Declaration. The evidence set out in the foregoing Declaration is based on my personal knowledge.
2. I am Debra Williams's attorney and submit this Declaration in support of Response to Defendant's Motion and Brief for Leave to file it's answer and affirmative defenses to Plaintiff's Complaint.
3. On September 17, 2021, I had a meet and confer with Mr. Matzner and Morgan Vaughan. I recorded the conversation and took notes, both of which I reviewed in making this declaration. We discussed outstanding discovery issues and the potential for motions for a protective order, to extend plaintiff's and defendant's expert witness designations deadlines, and to amended Plaintiff's complaint. Mr. Matzner and Ms. Vaughan referenced the Court's September 3, 2021 order during the conversation. The bulk of the time was spent discussing discovery issues and discovery-related motions. Neither Mr. Matzner or Ms. Vaughan mentioned the need to obtain an extension to respond to Plaintiff's FMLA claims during our meet and confer or at any time thereafter. Mr. Matzner stated that he would file a motion asking the Court to extend the Defendant's expert designation deadline and expert report deadline during the week of September 20<sup>th</sup>.
4. During our meet and confer, Mr. Matzner expressed the reasons why he would oppose my Motion for Leave to File an Amended Complaint. I understood that if I was granted leave to file an Amended Complaint on claims other than ADA discrimination, that a Motion to Dismiss would follow. During our meet and confer, I told defense counsel that I would file a Motion for Leave to File an Amended Complaint as opposed,
5. I in no way represented to defense counsel what their obligations were regarding the need to file an answer. If defense counsel relied on my representation that I would be filing an amended complaint and chose not to file an answer until I filed an amended complaint, that deliberate act was not due to any of my statements or actions.
6. On October 7, 2021, I shared the recording with defense counsel and asked that they correct their sworn statements to the Court since I never stated that I would be filing a Motion for Leave to File an Amended Complaint during the week of September 20<sup>th</sup>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 8, 2021



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Katherine Britton